REMARKS

Claims 1, 5 and 7 have been canceled.

Claim 2 has been amended by deleting an alternate form and with minor stylistic/grammatical changes for clarity.

Claim 3 has been amended with minor stylistic/grammatical changes for clarity and preferred U.S. patent usage.

Claims 4, 6 and 8 have been amended by changing the dependency of each and with minor stylistic/grammatical changes for clarity.

Claims 9 and 10 have been withdrawn by the Examiner as a result of Applicants election of June 10, 2009 to initially prosecute the Claims (1-6 and 8, in part) identified by the Examiner as Group I, drawn to a product of formula I and pharmaceutical compositions and combinations thereof, in response to the Examiner's Restriction Requirement of May 11, 2009.

Claims 2-4, 6 and 8-10 are pending in the instant Application for which a favorable reconsideration by the Examiner is respectfully requested.

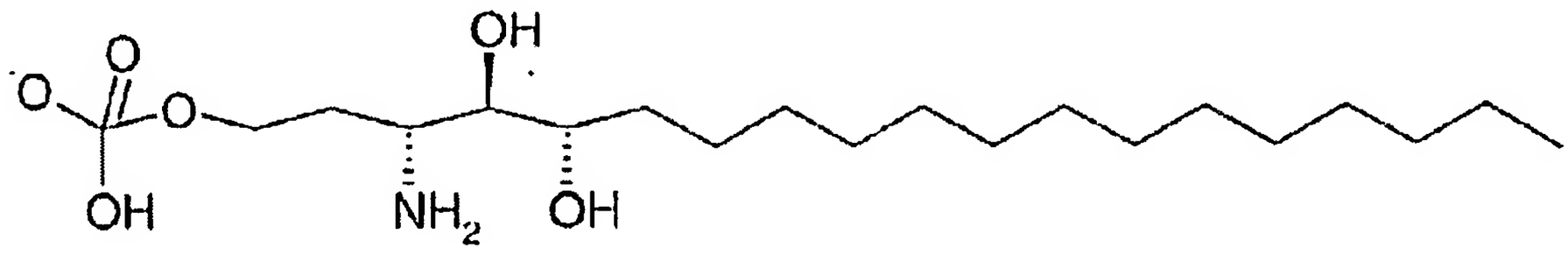
Claims 1-3, 5, 6 and 8 have been rejected under 35USC112, first paragraph, in that "the claims are...not enabled for the full scope of the compounds claimed" "for the asserted utility".

With the cancellation of Claim 1, thus substantially limiting the scope of the invention to the reasonable number of embodiments specified in Claim 2 that clearly closely resemble the compounds disclosed and tested in the instant Application, Applicants believe that the rejection is fully satisfied and overcome.

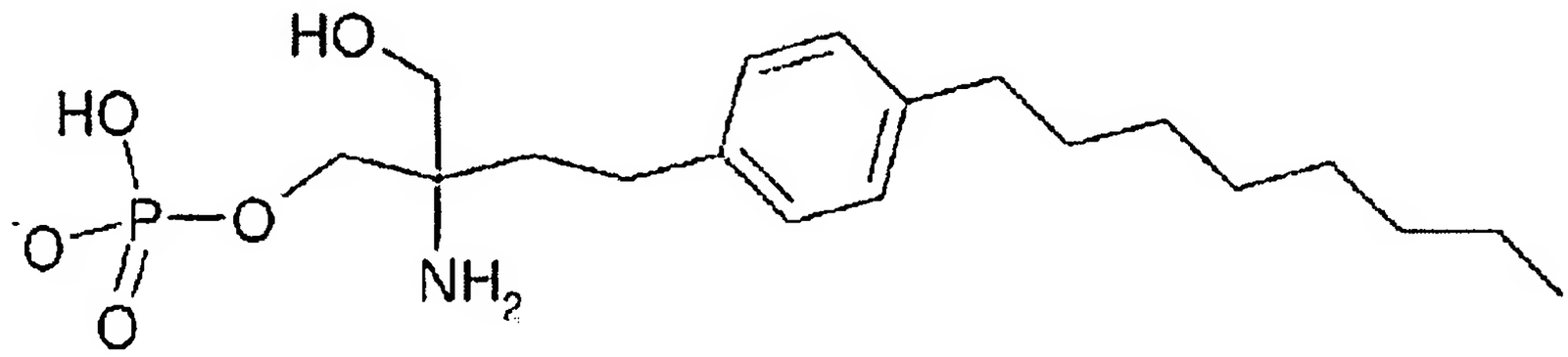
Reconsideration and withdrawal of this rejection is, therefore, respectfully requested.

Claims 1, 5 and 6 have been rejected under 35USC102(b) as anticipated by Rios Candelore *et al* (Biochemical and Biophysical Research Communications (2002), 297(3), 600-606), "which teaches PhS1P as pharmaceutical agonist to S1P4... and acts with 10-fold selectivity difference from S1P1 as measured by EC_{50}".

Biochemistry and Biophysical Research Communications 297 (2002) 600-606 (Candelore *et al*) reports on studies of the biology of sphingosine 1-phosphate G protein-coupled receptors, particularly on the pharmacological characterization of the $S1P_4$ receptor, and the bioactive lysosphingolipid ligands for this class of receptors, citing phytosphingosine 1-phosphate (PhS1P)

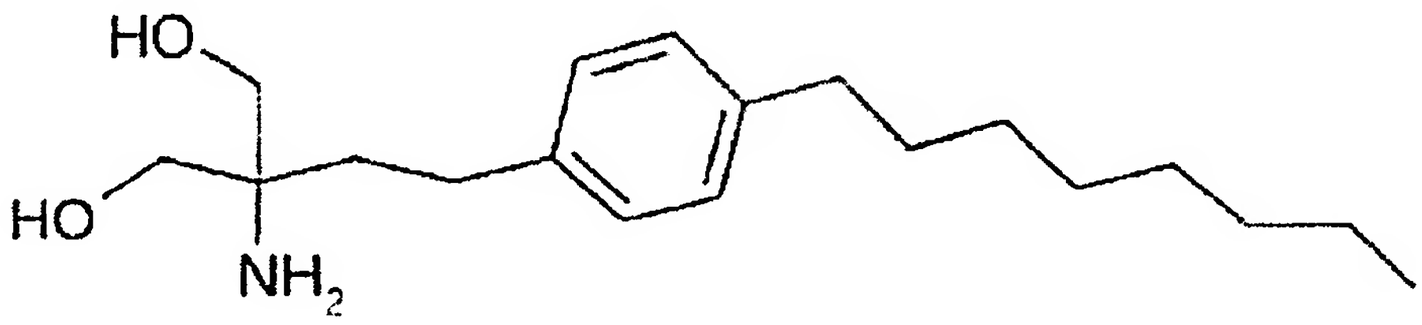


and the phosphorylated metabolite



of

the immunosuppressor FTY720



as

binding the $S1P_4$ receptor with higher affinity than the endogenous ligand S1P.

While these ligands may also bind the $S1P_4$ receptor, none of them even vaguely teaches or suggests the novel agonists of the instant Application, and, therefore, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Reconsideration of the Application is respectfully requested, as are the Claim of Group III, drawn to a process for the preparation of a compound of formula I, and the Claim of Groups IV and V, upon amending the dependency of the Claim, drawn to a method of using the compound of formula I, with the Claims of Group I, upon allowance of the Claims of Group I.

SUMMARY

The rejections having been addressed and overcome, and the Claims believed to now be in condition for allowance, such favorable action is earnestly solicited, with an early Notice of Allowance being issued. If any remaining matters need to be resolved, however, the resolution of which would expedite allowance of this Application, and which are amenable to resolution during a telephone interview between the Examiner and Applicants' Attorney, Applicants respectfully request such a telephone interview (the undersigned attorney may be contacted at the telephone number set forth below) with the Examiner prior to any additional adverse action being issued by the Office, in order to facilitate issuance of a Patent on this invention.

Respectfully submitted,

Dated: November 25, 2009

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